(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

W.P. NO. 170 /2004

PETITIONER : D.P. Manhar, S/o.Shri Nanki Ram Manhar, aged about 50 years, R/o Sharda Vihar, M.I.G./ 1B/ 19, Distt. Korba. (C.G.)

P. R. No. 1224/04
Presented by Shri K.S. Rao
dated 16/2/04

VERSUS

RESPONDENTS :1 The State of Chhattisgarh Through the Secretary Department of Adim Jati Tatha Anusuchit Jan Jati Vikas Vibagh, D.K.S Bahawan Raipur (C.G.)

2. The Sahayak Ayukt, Advasi Vikas Korba (C.G.)

3. The Distt. Collector, Korba (C.G.)

4. R.K Thawait, S/o Shri Thawait, aged about 50 years. (approx.) R/o Nehru Nagar Korba (C.G.)

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16/2/04
Clerk to A. G. Bilaspur

शपथ आयुक्त
16/2/04
बिलासपुर तहसील केन्द्र

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA

672

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(26)

आदेश पत्रक

मामला क्रमांक WP 170/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	06.02.2004 Shri M.P.S.Bhatia, counsel for the petitioner. Shri P. Das, Panel Lawyer for the State. I.A. No.495/2004 has been filed for amendment by the petitioner as after filing of this writ petition his transfer order has been cancelled. Prayer for amendment is allowed. Learned counsel for the petitioner is directed to file the amended copy of the petition during the course of the day. In view of the above order, I.A. No.495/04 stands disposed of. By this writ petition under Article 226/227 of the Constitution of India the petitioner has sought relief that the impugned order dated 12.01.2004 (Annexure P-3) be quashed and the order-dated 06.10.2003 (Annexure P-1) be restored. The case of the petitioner is that he was working as Lecturer at Government Higher Secondary School, Lafa, District Korba and vide order dated 06.10.2003 the petitioner was promoted and posted as Vikas Khand Shiksha Adhikari, Korba and thereafter, respondent No.4 on whose place the petitioner was posted initially did not handed over the charge to the petitioner and the petitioner could take charge only on 29.12.2003 and by manipulation respondent No.4 succeed and earlier transfer order (Annexure P-1) has been cancelled vide Annexure P-3. I have heard learned counsel for the parties.	

[पीछे देखिये

XI-HC-22

(27)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक 170/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Learned counsel for the petitioner submits that in compliance of the order dated 06.10.2003 (Annexure P-1) the petitioner has shifted with all his family members to present place of posting and his children are studying there; therefore, he submits that the petitioner may be allowed to continue there till the academic session is over.

Learned Panel Lawyer for the State submits that the order-dated 12.01.2004 (Annexure P-3) has already been implemented, therefore, there is no question of staying the same.

In view of the above submission learned counsel for the petitioner submits that the petitioner may be allowed to make a detailed representation to respondent No.1, to which learned Panel Lawyer has no objection.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation raising all his grievances within ten days from today to respondent No.1 and in turn, respondent No.1 after considering all the grievances of the petitioner shall decide the representation within a period of thirty days from the date of receipt of the same in an objective manner with a reasoned order.

The petition is disposed of accordingly. Consequently, M.W.P. No. 139/2004 & I.A. No.419/2004 also stand disposed of.

Certified copy as per Rules.

Sd/-
L.C. Bhadoo
Judge

[पीछे देखिये